IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

OP.No. 15409 of 2002(H)

PETITIONER:

GEORGE V. CHEMPARATHY, SELECTION GRADE LECTURER, S.N.M. COLLEGE, MALIANKARA.

BY ADV. SRI.MATHAI M PAIKADAY(SR.)
SRI.K.B.GANGESH

RESPONDENTS:

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1. THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, ERNAKULAM.

2. THE PRINCIPAL, S.N.M. COLLEGE, MALIANKARA.

BY GOVERNMENT PLEADER SMT.SHAKEELA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 11/12/2006, THE COURT ON 18/12/2006 DELIVERED THE FOLLOWING:

ORDER ON CMP 45858 OF 2002 & CMP NO.26009 OF 2002
in OP.No. 15409 of 2002

Dismissed.

SD/- KURIAN JOSEPH, JUDGE

ORDER ON CMP 3002 of 2003 in OP.No. 15409 of 2002

Allowed

SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXIBITS:

Ext.P1: True copy of the Government Order G.O.(P) No.110/2000/H.Edn. Dated 4-7-2000.

Ext.P2: True copy of the representation preferred by the petitioner to the 1st respondent dated 28-6-2001.

Ext.P3: True copy of the order passed by the 1st respondent dated 2-1-2002.

RESPONDENT'S EXIBITS:

Ext.R1(a): Copy of G.O.(MSNo.177/94/H.Edn.dated 15-12-1994.

Ext.R1(b): Copy of Lr.No.UBC cell I(1)/15035/2098/Gen. Edn. Dated 31-5-2002.

// True copy //

P.A. to Judge

KURIAN JOSEPH, J.

O.P.No.15409 of 2002

Dated 18th December, 2006.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of certiorari or any other appropriate writ, order or direction quashing Ext.P3 order passed by the first respondent.
>
> (ii) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the first respondent to step up the pay of the petitioner in parity with that of Smt.C.P.Lalitha, Selection Grade Lecturer in Economics, S.N.M.College, Maliankara in the light of Note 4 of Ext.P1 Government Order."

In the counter affidavit, the stand taken by the first respondent Deputy Director is that there is Ext.R1(b) clarification to the effect that subject-wise seniority should be taken into account for rectifying the senior-junior anomaly. In case the petitioner has still any grievance left or in case there is any factual dispute, he may approach the Government, in which case, the matter will be duly examined by the Government with notice to the petitioner, within another four months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

KURIAN JOSEPH, J

O.P.No.15409 of 2002 (H)

J U D G M E N T

Dated 18th December, 2006.